

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: *Ian Saunders*Application No.: *101510,062* Group No.: *Not yet Known*Filed: *10/01/2004* Examiner: *Not yet Known*For: *Stage Device For A Vacuum Chamber*

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION BY PERSON HAVING PROPRIETARY INTEREST TO FILE
APPLICATION ON BEHALF OF INVENTOR(S) WHO REFUSE TO SIGN OR
CANNOT BE FOUND (37 C.F.R. § 1.47(b))**

NOTE: 37 C.F.R. § 1.47 Filing when an inventor refuses to sign or cannot be reached.

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(b) Whenever all of the inventors refuse to execute an application for patent, or cannot be found or reached after diligent effort, a person to whom an inventor has assigned or agreed in writing to assign the invention, or who otherwise shows sufficient proprietary interest in the matter justifying such action, may make application for patent on behalf of and as agent for all the inventors. The oath or declaration in such an application must be accompanied by a petition including proof of the pertinent facts, a showing that such action is necessary to preserve the rights of the parties or to prevent irreparable damage, the fee set forth in § 1.17(h), and the last known address of all of the inventors. An inventor may subsequently join in the application by filing an oath or declaration complying with § 1.63.

(c) The Office will send notice of the filing of the application to all inventors who have not joined in the application at the address(es) provided in the petition under this section, and publish notice of the filing of the application in the Official Gazette. The Office may dispense with this notice provision in a continuation or divisional application, if notice regarding the filing of the prior application was given to the non-signing inventor(s).

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

☐ with sufficient postage as first class mail.☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature

Date: *May 9, 2005**Daniel H. Golub*

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Petition by Person Having Proprietary Interest to File Application on Behalf of Inventor(s) Who Refuse to Sign or Cannot Be Reached (37 C.F.R. § 1.47(b)) [1-5.1]—page 1 of 2)

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WARNING: Filing under 37 CFR 1.47(b) and 35 U.S.C. 118 is permitted only when no inventor is available to make application" § 40803(b), MPEP, 8th Edition.

1. The person/party having a proprietary interest in the above identified application, signs below and petitions to make this application on behalf of the non-signing inventor(s):

Tan Saunders

Type name of omitted joint inventor

who:

- ☐ refuses to join in the application
☒ cannot be found after diligent effort
2. This petition is accompanied by (i) a showing of sufficient proprietary interest, (ii) proof of the pertinent facts and (iii) the last known address of the non-signing inventor as set forth in the accompanying:

STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING INVENTOR (37 C.F.R. § 1.47).

3. The fee set forth in § 1.17(g) (\$200.00), required by 37 C.F.R. § 1.47(a), is paid as follows:

- ☐ Attached is a ☐ check ☐ money order in the amount of \$ 130.00
☒ Authorization is hereby made to charge the amount of \$ 130.00
☒ to Deposit Account No. 50-0310
☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. To Deposit Account No. 50-0310.
☒ A duplicate of this paper is attached.
4. Identification of Person(s) Making this Statement

The person making this statement is:

- ☒ the owner or a person authorized to sign on behalf of the owner on the basis of
☐ an assignment
☐ recorded: Reel _____ Frame _____
☐ unrecorded
☐ copy attached
☐ Statement under 37 C.F.R. § 3.73(b) is enclosed (Form PTO/SB/86)
☐ an agreement
☐ copy attached
☐ other _____

- ☒ supporting papers attached

B. BAUD

Type name of person who sign

DIRECTOR

Official capacity of person who signs (if applicable)

Signature